

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

- Alexandria Division -

ERIK CARDIN

versus

LEAH M. OLSZEWSKI

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Case No.: 1:19-cv-1646

**MOTION FOR LEAVE TO SERVE RULE 45 SUBPOENA
IN SUPPORT OF SERVICE OF SUMMONS PRIOR TO
COURT’S SCHEDULING ORDER**

Plaintiff Erik J. Cardin is attempting to serve the Complaint and Summons in this action. The Defendant’s address turns out is a mailbox at the Pentagon City UPS Store. The UPS Store owner, Matthew Reed, is cooperative, but he cannot release confirmatory information about Defendant’s use of the mailbox absent a court subpoena. The Court has not yet issued its Scheduling Order, and therefore leave of court is required before sending a Rule 45 subpoena.

Other efforts to serve the Defendant—for example, sending the process server three times to Defendant’s place of employment—have been unsuccessful.

A proposed Rule 45 Subpoena is attached as Exhibit 1.

Plaintiff asks the Court to authorize the Rule 45 subpoena to The UPS Store.

Respectfully submitted,

ERIK CARDIN

By Counsel

REDMON, PEYTON & BRASWELL, LLP

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Service has not yet been accomplished, and there is no appearance by any counsel for Defendant in this matter.